

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

|                     |   |                          |
|---------------------|---|--------------------------|
| WAKEELAH A. COCROFT | ) |                          |
|                     | ) |                          |
| V.                  | ) | CASE NO. 10-CV-40257-TSH |
|                     | ) |                          |
| JEREMY SMITH        | ) |                          |

AFFIDAVIT OF COUNSEL

I, Beverly B. Chorbajian, declare under the penalties of perjury that the following facts are within my personal knowledge and are true:

1. I am an attorney duly licensed to practice in the Commonwealth of Massachusetts, and admitted to the federal bar for the District of Massachusetts. I represent the plaintiff, Wakeelah A. Cocroft in the above-captioned matter.
2. Exhibit A contains true and accurate portions of the deposition transcript of the Plaintiff, Wakeelah A. Cocroft, taken on June 8, 2012, in the above-captioned matter.
3. Exhibit B contains true and accurate portions of the transcript of the jury trial of the plaintiff's criminal case, Commonwealth v. Cocroft, Worcester District Court Docket No. 0762 CR 12582, held on January 22, 2009.
4. Exhibit C contains true and accurate portions of the deposition transcript of Clytheia Mwangi, taken on June 8, 2012, in the above-captioned matter.
5. Exhibit D contains true and accurate portions of the of the deposition transcript of the Defendant, Jeremy Smith, taken on June 7, 2012, in the above-entitled matter.
6. Exhibit E contains a true and accurate copy of the Worcester Police Dept. Policy and Procedure, Policy No. 400.1, "Handcuffs & Restraints Guidelines", Date Effective 13 April 2007., pages 1-4.
7. Exhibit F consists of a true and accurate copy of the surveillance video of the December 29, 2007 arrest of the Plaintiff at the Park Avenue Mobil gas station, which depicts the events that form the basis for this action. This item is being filed separately at the Clerk's Office.

Signed under the penalties of perjury this 19<sup>th</sup> day of October, 2012.

October 19, 2012

/s/ Beverly B. Chorbajian

Beverly B. Chorbajian, BBO # 5668893

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